

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Gerald Smith,

Plaintiff,

Case No. 07-14637

v.

Hon. Nancy G. Edmunds

Patricia Caruso, Director, et. al.,

Defendants.

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ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

This matter has come before the Court on the Magistrate Judge's Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, including the Report and Recommendation and any objections thereto, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is further ordered that this case is *sua sponte* dismissed with prejudice for failure to state a claim upon which relief can be granted under 28 U.S.C. 1915(b)(1).

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: May 6, 2008

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 6, 2008, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager